

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

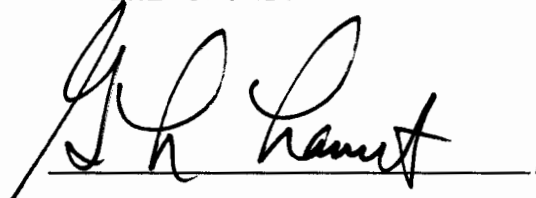
HOWARD T. PHILLIPS, M.D.,       )  
    Plaintiff,                        )  
                                      )  
                    v.                ) Civil Action No. 03-58  
                                      )  
PROVIDENT LIFE AND ACCIDENT )  
INSURANCE COMPANY, ET AL.,    )  
    Defendants.                    )

ORDER OF COURT

AND NOW this 6 day of January, 2006, the court has been advised that a resolution has been reached in the instant case and the only remaining matter is the submission of a stipulation of discontinuance for approval by the court. Therefore, there being no further action needed by the court at this time, IT IS HEREBY ORDERED that the Clerk of Court is directed to mark this case closed.

Nothing contained in this order shall be considered a dismissal or disposition of this matter and this court shall retain jurisdiction. Should further proceedings in it become necessary, or desirable, either party may initiate it in the same manner as if this order had not been entered.

BY THE COURT:

 J.

cc: All Counsel of Record